

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

WILLIAM MARTENIES,

Plaintiff,

v.

KILOLO KIJAKAZI, Acting Commissioner,
Social Security Administration,

Defendant.

Case No. 3:22-cv-00222-MMD-CSD

ORDER

Before the Court is the Report and Recommendation (“R&R”) of United States Magistrate Judge Craig S. Denney (ECF No. 21), recommending that the Court dismiss this action. Martenies had until February 15, 2023 to file an objection. To date, no objection to the R&R has been filed. For this reason, and as explained below, the Court adopts the R&R in full and dismisses this action.

Because there is no objection, the Court need not conduct de novo review and is satisfied Judge Denney did not clearly err. *See United States v. Reyna-Tapia*, 328 F.3d 1114, 1116 (9th Cir. 2003) (“De novo review of the magistrate judges’ findings and recommendations is required if, but *only* if, one or both parties file objections to the findings and recommendations.”) (emphasis in original). Here, Judge Denney recommends dismissing this action because Martenies has failed to file a motion for reversal and/or remand in compliance with the Court’s August 8, 2022 order (ECF No. 18), despite the Court’s granting of an additional 30 days to comply and warning that failure to comply may result in dismissal (ECF No. 19). (ECF No. 21 at 1.) The Court agrees with Judge Denney. Having reviewed the R&R and the record in this case, the Court will adopt the R&R in full.

1 It is therefore ordered that Judge Denney's Report and Recommendation (ECF
2 No. 21) is accepted and adopted in full.

3 It is further ordered that this action is dismissed without prejudice.

4 The Clerk of Court is directed to enter judgment in Defendant's favor and close this
5 case.

6 DATED THIS 21st Day of February 2023.

A handwritten signature in blue ink, appearing to read 'Miranda M. Du', is written over a horizontal line.

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8 MIRANDA M. DU
9 CHIEF UNITED STATES DISTRICT JUDGE
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